

Absent: Creighton, McKnight, Moore.

Absent-excused: Adams.

HOUSE BILL ON FIRST READING

The following bill received from the House, was read the first time and referred to the Committee indicated:

H.B. 3, To Committee on Finance.

MEMORIAL RESOLUTIONS

S.R. 159 - by Brooks: Memorial resolution for James E. Ward.

S.R. 162 - by Brooks: Memorial resolution for Thomas Jefferson Baylor.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 158 - by Traeger: Extending welcome to Devine High School.

S.R. 161 - by Andujar: Extending congratulations to Paul Vane Greenwade, Jr.

S.R. 163 - by Schwartz: Extending congratulations to Coach Ray T. Sheppard of Galveston.

ADJOURNMENT

On motion of Senator Aikin the Senate at 11:42 o'clock a.m. adjourned until 10:30 o'clock a.m. Monday, February 14, 1977.

EIGHTEENTH DAY

(Monday, February 14, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Absent-excused: Longoria, Mauzy.

A quorum was announced present.

The Reverend Bert Bronaugh, Pastor, Burnet Presbyterian Church, Burnet, Texas, offered the invocation as follows:

Unto You, Almighty God, I pray for these men and women whom You have placed in authority over the people of this state. You know them. You have searched their hearts. You know the deep recesses of their lives. Be not afraid, O Lord, to enter into these chambers and join in on their discussions, equipping them with Your Holy Spirit to accomplish right and proper methods and goals.

Lord and God, we need leaders with vision and dreams, grounded in truth; we need leaders who are not afraid to lead, and who are not timid with justice and with deeds of righteousness. Indeed, may their heads not grow larger than their wisdom or than their compassion.

Only strengthen them, O Lord, for their awesome task, granting them whatever support and encouragement necessary. I ask You this in the name of our Lord and Saviour Jesus Christ. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 10, 1977, was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Longoria was granted leave of absence for today on account of official business on motion of Senator Traeger.

Senator Mauzy was granted leave of absence for today on account of important business on motion of Senator Schwartz.

REPORT OF STANDING COMMITTEE

Senator Creighton submitted the following report for the Committee on Economic Development:

C.S.S.B. 75 (Read first time)
C.S.S.B. 215 (Read first time)
C.S.S.B. 527 (Read first time)

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 562 by Braecklein Jurisprudence
Relating to the penalty for the driving of a motor vehicle while under the influence of a controlled substance, dangerous drug, or other drug; amending Section 50, Chapter 421, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 563 by Doggett Human Resources
Relating to dentists and the practice and regulation of dentistry; amending Section 1, Chapter 496, Acts of the 57th Legislature, 1961, Regular Session (codified as Vernon's Ann. Civ. St. art. 4551h), as amended; amending Sec. 2 and Sec. 3, Chapter 475, Acts of the 52nd Legislature, 1951, Regular Session (codified as Vernon's Ann. Civ. St. art. 4551e, Section 2 and Section 3), as amended; repealing

certain articles of Vernon's Ann. Civ. St. Title 71, Chapter 9; providing a general repealing clause; providing for severability; and, declaring an emergency.

S.B. 564 by Doggett Jurisprudence
Amending Article 2.12, Code of Criminal Procedure, 1965, as amended; defining who are peace officers in the State of Texas; providing a severability clause; and declaring an emergency.

S.B. 565 by Doggett Human Resources
Relating to dentists and the regulation of the practice of dentistry; amending Title 71, Chapter 9, Vernon's Ann. Civ. St., as amended, by adding thereto two new articles to be known and designated as Articles 4551i and 4551j; providing for the repeal of laws in conflict with this Act; providing for severability; and, declaring an emergency.

S.B. 566 by Doggett State Affairs
Relating to regulation of political activity of state employees; amending Subsection (d), Section 11, Chapter 482, Acts of the 44th Legislature, 3rd Called Session, 1936, as amended (Article 5221b-9, Vernon's Texas Civil Statutes); repealing Section 16a-1, Chapter 42, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6701d-11, Vernon's Texas Civil Statutes), Subsection (2), Section 9, Chapter 181, General Laws, Acts of the 44th Legislature, Regular Session, 1935, as amended (Article 4413(9), Vernon's Texas Civil Statutes), Section 31, The Public Welfare Act of 1941 (Article 695c, Vernon's Texas Civil Statutes), and Section 12, Chapter 241, Acts of the 49th Legislature, 1945 (Article 3207c, Vernon's Texas Civil Statutes).

S.B. 567 by Jones of Taylor Natural Resources
Relating to the sale, transportation, and methods of taking bait fish; providing penalties; amending Chapter 66, Parks and Wildlife Code, by adding Section 66.010; amending Subdivision (5) of Section 47.001 and Subsection (a) of Section 47.014, Parks and Wildlife Code; repealing certain local minnow laws; making conforming amendments to local fish sale laws.

S.B. 568 by Ogg Jurisprudence
Relating to the offense of starting a fire or causing an explosion with intent to destroy or damage insured property; amending Subsection (a), Section 28.02, Penal Code.

S.B. 569 by Ogg Intergovernmental Relations
Relating to the creation, jurisdiction, administration, and procedures of two new county civil courts at law for Harris County; making other provisions relative to the courts.

S.B. 570 by Aikin Intergovernmental Relations
Relating to the creation of the constitutional office of Criminal District Attorney of Red River County; abolishing the office of County Attorney of Red River County.

S.B. 571 by Aikin Intergovernmental Relations
Relating to compensation to certain counties in which the county attorney performs the duties of a district attorney in addition to the duties of a county attorney; amending Section 1a, Chapter 396, Acts of the 63rd Legislature, Regular Session, 1973 (Article 332b, Vernon's Texas Civil Statutes).

S.B. 572 by Aikin

Finance

Relating to the application of the sales and use tax to periodicals and to certain property used in the publication and distribution of periodicals; amending Section (Y) of Article 20.01 and Section (BB) of Section 20.04, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended.

S.B. 573 by Brooks

Human Resources

Relating to the authorization of student loans for medical students; amending Chapter 52, Subchapter C, Texas Education Code by adding Section 52.41.

S.B. 574 by Jones of Harris

Education

Relating to funding the position of occupational therapist under the Foundation School Program; amending Subsection (d), Section 16.104, and adding Subsection (e) to Section 16.056, Texas Education Code, as amended.

S.B. 575 by Jones of Harris

Economic Development

Relating to the right of indemnity against persons responsible for deceptive trade practices, failures to comply with an express or implied warranty, unconscionable actions or courses of action, and violations of Article 21.21, Texas Insurance Code, as amended; amending Section 17.50, Business and Commerce Code, as amended, and Section 17, Article 21.21, Insurance Code, as amended, and declaring an emergency.

S.B. 576 by Schwartz

Natural Resources

Creating the Natural Resources Council; naming its members; granting it powers; assigning it duties; granting the Governor powers; creating an advisory committee; repealing all expressly conflicting laws; and declaring an emergency.

S.B. 577 by Schwartz

Natural Resources

Directing the Natural Resources Council to report to the Governor on coastal problems; designating the Governor to represent the State of Texas in discussions with the federal government with regard to questions of consistency under Section 307 of the Coastal Zone Management Act of 1972; repealing all expressly conflicting laws; and declaring an emergency.

S.B. 578 by Schwartz

Natural Resources

Granting the Certifying Agency the duty and authority to certify those coastal wetlands which are essential to the public interest; granting the Acquiring Agency the authority to acquire fee and lesser interests in such lands and to preserve and manage such lands in the public interest; and declaring an emergency.

S.B. 579 by Schwartz

Natural Resources

Providing for the exercise by the state of the regulatory authority of the Corps of Engineers over the discharge of dredged or fill material under Section 404 of the Federal Water Pollution Control Act Amendments of 1972 (33 U.S.C. 1344), and regulations issued thereunder; and declaring an emergency.

S.B. 580 by Hance

Economic Development

Relating to regulation of certain transactions with regard to obtaining control of a state bank; adding Article 1a to Subchapter IV, Texas Banking Code of 1943, as amended (Article 342-401, et seq., Vernon's Texas Civil Statutes).

S.B. 581 by Parker

Jurisprudence

Relating to the authority of licensed private investigators to serve documents in civil and probate proceedings.

S.B. 582 by Parker

State Affairs

Relating to Firemen's and Policemen's civil service; providing penalties; amending Chapter 325, Acts of the 50th Legislature, 1947, as amended (Article 1269m, Vernon's Texas Civil Statutes), as follows: amending Sections 2, 3, 4, 5, 8, 9, 17, 18, 20, 22, 22a, 26, 27(a), Paragraphs (1) and (6) of Subsection D and Subsections A, E, and F of Section 14, adding Sections 5b, 12A, 16b, 25A, and adding Subsection H to Section 14.

S.B. 583 by Jones of Taylor

Economic Development

Relating to prohibition of certain practices in connection with insurance of real and personal property; amending Article 21.48A, Insurance Code; providing a penalty.

S.B. 584 by Clower

State Affairs

Relating to uniform dates for holding general and special elections in this state; amending Section 9b, Texas Election Code (Article 2.01b, Vernon's Texas Election Code), by amending Subsections (a) and (c) and by adding Subsection (f); repealing Subsection (b), Section 3, Chapter 715, Acts of the 64th Legislature, 1975, which sets an expiration date in 1978 for Sections 9b and 9c of the Election Code.

S.B. 585 by Ogg

Jurisprudence

Relating to the declaration of a basic policy concerning the right to life; regulating the conduct of certain abortion policies, practices, and acts and conduct regarding human fetuses; making certain findings; prescribing certain criminal penalties and civil sanctions; amending Section 1.07(a)(17), Section 9.34(c) and Section 19.02(a), Penal Code and further amending the Penal Code by adding Section 1.07(a)(37)-(40), Section 19.08-19.09, and Section 22.09, and declaring an emergency.

S.B. 586 by Schwartz

Jurisprudence

Creating a Court Reporters Commission, providing for membership, terms of office, employees, powers and duties; relating to the eligibility, examination and certification of shorthand court reporters; and declaring an emergency.

S.B. 587 by Schwartz

Jurisprudence

Relating to the duties of official court reporters; amending Section 1, Chapter 202, Acts of the 39th Legislature, 1925, as amended (Article 2324, Vernon's Texas Civil Statutes), and declaring an emergency.

S.B. 588 by Schwartz

Jurisprudence

Relating to the provisions of court reporting services to a party in a civil case if the party is unable to pay therefore; and declaring an emergency.

S.B. 589 by Schwartz

Jurisprudence

Relating to the furnishing to an official court reporter by a county or counties certain items; and declaring an emergency.

S.B. 590 by Hance

Jurisprudence

Relating to the use of live animals as a lure or quarry in a dog race or in dog coursing; amending Subsection (a), Section 42.11, Penal Code, as amended.

S.B. 591 by Hance

Finance

Relating to an exemption from the franchise tax for certain persons manufacturing, selling, or installing solar energy devices; amending Section (1) of Article 12.03, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended.

S.B. 592 by Hance

State Affairs

Relating to the powers and duties of the Commission for the Texas Civil Air Patrol; amending Sections 2 and 6 of and adding Section 2a to Chapter 521, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4413(40), Vernon's Texas Civil Statutes).

S.B. 593 by Mengden

State Affairs

Relating to legislative review and disapproval of rules and proposed rules of state agencies; amending Section 5 of the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes) by adding Subsection (g).

S.B. 594 by Mengden

Education

Relating to student services fees and building use fees at state-supported institutions of higher education; amending Subsection (b), Section 54.503, Texas Education Code, as amended, and repealing Subsection (f); amending Section 55.16, Texas Education Code, as amended.

S.B. 595 by Doggett

Finance

Relating to tax exemptions for certain historic sites; amending Title 122, Revised Civil Statutes of Texas, 1925, as amended, by adding Article 7150i; providing a contingent effective date; and declaring an emergency.

S.J.R. 43 by Mengden

State Affairs

Proposing an amendment to Article XVI of the Texas Constitution, to prohibit state agencies from accepting gifts or grants from private sources.

S.C.R. 39 by Ogg

Administration

Granting Shirley Riley permission to sue the State of Texas.

S.C.R. 40 by Brooks

Human Resources

Providing for the creation of 300 additional family practice residency positions by 1980.

MESSAGE FROM THE HOUSE

House Chamber
February 14, 1977

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 30. A bill to be entitled An Act relating to the authority of North Texas State University and Texas Woman's University to exercise the power of eminent domain; adding Sections 105.44 and 107.45 to the Texas Education Code, as amended; and declaring an emergency.

Respectfully submitted,
BETTY MURRAY, Chief Clerk
House of Representatives

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were read and were referred to the Committee on State Affairs, Sub-Committee on Nominations:

Austin, Texas
February 14, 1977

TO THE SENATE OF THE SIXTY-FIFTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a Member of the FINANCE COMMISSION OF TEXAS: For a six-year term to expire February 1, 1983: Mr. Terry Bacon of Plains, Yoakum County is replacing Mr. J. H. Bain, Jr. of Stockdale, Wilson County whose term expired.

To be a Member of the FINANCE COMMISSION OF TEXAS: For a six-year term to expire February 1, 1983: Mr. James Ross Avant of Dilley, Frio County is replacing Mr. H. P. Guerra, III of Rio Grande City, Starr County who resigned.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

SENATE BILL 359 WITH HOUSE AMENDMENT

Senator Truan called **S.B. 359** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Floor Amendment No. 1

Amend **S.B. 359** as follows:

(1) Strike the seventh sentence of Section 5, beginning on page 7, line 23, and substitute the following: "The board of directors shall have the authority to make appointments of physicians to the medical staff of the district as it deems necessary and may provide for temporary appointments to the staff if warranted."

(2) On page 8, line 9, add "reimbursement for" before "the care".

(3) On page 8, line 12, add "reimbursement for" before "treatment".

(4) On page 13, line 9, add "facilities for" before "domiciliary".

The amendment was read.

Senator Truan moved to concur in House amendment.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent: Schwartz.

Absent-excused: Longoria, Mauzy.

CO-AUTHOR OF SENATE RESOLUTION 191

On motion of Senator Truan and by unanimous consent, Senator Ogg will be shown as Co-author of **S.R. 191**.

CO-AUTHOR OF SENATE BILL 80

On motion of Senator Mengden and by unanimous consent, Senator Hance will be shown as Co-author of **S.B. 80**.

REPRESENTATIVE APPOINTED

Pursuant to Senate Resolution 160, the President appointed Senator Longoria to represent the Texas Senate in Washington, D.C. when President Jose Lopez Portillo, President of Mexico, visits the President of the United States.

SENATE BILL 134 REREFERRED

On motion of Senator Jones of Harris and by unanimous consent, **S.B. 134** was withdrawn from the Committee on State Affairs and rereferred to the Committee on Jurisprudence.

SENATE CONCURRENT RESOLUTION 36 ON SECOND READING

On motion of Senator Aikin and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.C.R. 36, Designating a committee to select a Poet Laureate of the State of Texas.

The resolution was read second time and was passed to engrossment.

SENATE CONCURRENT RESOLUTION 36 ON THIRD READING

Senator Aikin moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.C.R. 36** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Mauzy.

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed.

SENATE BILL 73 ON SECOND READING

On motion of Senator Lombardino and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 73, A bill to be entitled An Act relating to the commissioning and placement of a statue of Fray Antonio San Buenaventura Olivares; making an appropriation.

The bill was read second time and was passed to engrossment.

SENATE BILL 73 ON THIRD READING

Senator Lombardino moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 73** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Mauzy.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Mauzy.

SENATE BILL 147 ON SECOND READING

On motion of Senator Traeger and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 147, A bill to be entitled An Act relating to activities which are permitted without a plumbing license; amending Section 2 by adding Subsection (g), and amending Section 3, Plumbing License Law of 1947 (Article 6243-101, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to engrossment by the following vote: Yeas 20, Nays 8.

Yeas: Adams, Aikin, Andujar, Clower, Doggett, Farabee, Hance, Harris, Jones of Taylor, Lombardino, McKnight, Meier, Mengden, Moore, Parker, Patman, Santiesteban, Sherman, Snelson, Traeger.

Nays: Bracklein, Brooks, Jones of Harris, Kothmann, Ogg, Schwartz, Truan, Williams.

Absent: Creighton.

Absent-excused: Longoria, Mauzy.

COMMITTEE SUBSTITUTE SENATE BILL 150 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 150, Relating to the authority of the Texas Department of Corrections to grant temporary furloughs to inmates to obtain medical treatment and to attend funerals and visit critically ill relatives; adding Section 36 to Article 42.12, Code of Criminal Procedure, 1965, as amended; adding Article 6184n to the Revised Civil Statutes of Texas, 1925.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 150 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 150** be placed on its third reading and final passage.

The motion prevailed by the following vote: Ycas 29, Nays 0.

Absent-excused: Longoria, Mauzy.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Ycas 29, Nays 0.

Absent-excused: Longoria, Mauzy.

SENATE BILL 283 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 283, Relating to technical-vocational education; amending Sections 31.12, 31.13, and 31.33, Texas Education Code, as amended; relating to the membership, qualifications, terms, and duties of the Advisory Council for Technical-Vocational Education; and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 283 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 283** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Mauzy.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Mauzy.

SENATE BILL 284 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 284, Including certain vehicles and vehicles used for certain uses in the definition of authorized emergency vehicles and excepting them from speed regulations; amending Subsection (d), Section 2 and Section 172, Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time.

Senator Clower offered the following amendment to the bill:

Amend **S.B. 284** by striking all of Section 2 and substituting in lieu thereof the following:

"Sec. 2. Section 172, Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 172. Exceptions to speed law. The provisions of this Article regulating speeds of vehicles shall not apply to authorized emergency vehicles ~~vehicles operated by the fire department of any city, town or village~~ responding to calls, nor to police patrols, nor to physicians and/or ambulances responding to emergency calls, provided that incorporated cities and towns may by ordinance regulate the speed of ambulances~~[-]~~, emergency medical services vehicles and authorized emergency vehicles operated by blood banks or tissue banks."

The amendment was read and was adopted.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 284 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 284** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Mauzy.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Mauzy.

SENATE BILL 290 ON SECOND READING

On motion of Senator Jones of Taylor and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 290, Relating to the transportation and storage of certain wild animals and birds; amending Subchapter B, Chapter 62, Parks and Wildlife Code, by adding Sections 62.0265 and 62.031, and by amending Subsection (a) of Section 62.027.

The bill was read second time and was passed to engrossment.

SENATE BILL 290 ON THIRD READING

Senator Jones of Taylor moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 290** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Mauzy.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Longoria, Mauzy.

SENATE BILL 456 ON SECOND READING

On motion of Senator Moore and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 456, Relating to changes of domicile by state banks; amending Article 14, Subchapter III, Texas Banking Code of 1943, as added (Article 342-314, Vernon's Texas Civil Statutes).

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Ogg asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 456 ON THIRD READING

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 456** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, McKnight, Meier, Mengden, Moore, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Ogg, Patman.

Absent: Harris.

Absent-excused: Longoria, Mauzy.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, McKnight, Meier, Mengden, Moore, Parker, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Ogg, Patman.

Absent-excused: Longoria, Mauzy.

HOUSE BILL 450 ON SECOND READING

On motion of Senator Adams and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 450, A bill to be entitled An Act relating to cooperation between the houses and agencies of the legislature; making appropriations.

The bill was read second time and was passed to third reading.

HOUSE BILL 450 ON THIRD READING

Senator Adams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 450** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent: McKnight.

Absent-excused: Longoria, Mauzy.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0.

Absent: McKnight.

Absent-excused: Longoria, Mauzy.

MEMORIAL RESOLUTIONS

S.R. 181 - by Farabee, Jones of Taylor: Memorial resolution for Don Wooten.

S.R. 182 - by Farabee: Memorial resolution for Jeff Krajca.

S.R. 183 - by Farabee: Memorial resolution for John W. Hampton.

S.R. 184 - by Farabee: Memorial resolution for Dr. I. A. Carter.

S.R. 185 - by Farabee: Memorial resolution for Ralph G. Davis.

S.R. 186 - by Farabee: Memorial resolution for S. H. Lowder.

S.R. 187 - by Farabee: Memorial resolution for C. T. McLaughlin.

S.R. 197 - by Snelson: Memorial resolution for Miss Maggie Taylor.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 164 - by Truan: Extending welcome to Bishop Raymond Pena.

S.R. 165 - by Doggett: Extending welcome to the Reverend Samuel N. Baxter.

S.R. 166 - by Doggett: Extending welcome to the Reverend Jack D. Heacock.

S.R. 167 - by Doggett: Extending welcome to the Reverend Dr. James Stoner.

S.R. 168 - by Doggett: Extending welcome to the Reverend Laurens Hall.

S.R. 169 - by Doggett: Extending welcome to The Reverend Frank Walker.

S.R. 170 - by Doggett: Extending welcome to Father Henry F. Bourgeois.

S.R. 171 - by Doggett: Extending welcome to the Reverend Dr. Browning Ware.

S.R. 172 - by Doggett: Extending welcome to the Right Reverend Archemandrite Mark Pemberton.

S.R. 173 - by Doggett: Extending welcome to the Reverend Jerry Elwell.

S.R. 174 - by Doggett: Extending welcome to Pastor Merle Franke.

S.R. 175 - by Doggett: Extending welcome to the Most Reverend Vincent Harris.

S.R. 176 - by Doggett: Extending welcome to Dr. Rachel Hinderlite.

S.R. 177 - by Andujar: Extending welcome to the Reverend Jackie Ponder.

S.R. 178 - by Doggett: Extending welcome to the Reverend Scott W. Johnson.

S.R. 179 - by Doggett: Extending welcome to Father Richard E. McCabe.

S.R. 180 - by Doggett: Extending welcome to Dr. Ray Chester.

S.R. 188 - by Doggett: Extending welcome to Reverend Bert Bronaugh.

S.R. 189 - by Braecklein: Extending congratulations to George M. Philpott.

S.R. 190 - by Adams: Extending congratulations to Coach Thomas Cook.

S.R. 191 - by Truan, Ogg: Extending congratulations to League of United Latin American Citizens.

S.R. 192 - by Clower: Extending congratulations to William Gray Hardy, Jr.

S.R. 193 - by Clower: Extending congratulations to Woodrow Robert "Bo" Brownlee.

S.R. 194 - by Clower: Extending congratulations to Heatherton Elizabeth Hardy.

S.R. 195 - by Clower: Extending congratulations to Christopher Damon Hardy.

S.R. 196 - by Snelson: Extending congratulations to Sheriff Jim Skinner.

S.R. 198 - by Snelson: Extending congratulations to Eugene Pankratz.

ADJOURNMENT

On motion of Senator Aikin the Senate at 11:33 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

NINETEENTH DAY
(Tuesday, February 15, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Mauzy, McKnight, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Absent-excused: Brooks, Longoria, Meier.

A quorum was announced present.

The Reverend George Ricker, University Methodist Church, Austin, Texas, offered the invocation as follows:

O Lord, our God, You are the Creator and Sustainer of life; we acknowledge our dependence upon You. Our lives are Your gifts. Our being here at this time, in this place, with these people, is part of the great mystery of life. We dare call this mystery love and affirm that this is what You are.

We marvel at the circumstances that bring us together at this hour: home influences, school training, vocational choices, the voice of the people, and, above all, Your sustaining power. We do not live apart from You, and You call us into responsible, dependent relationships with one another.

Save us from pride and self-seeking; free us from fear or hysteria as we face differences of opinion; cleanse us from myopic vision and closed minds. With malice toward none and charity for all, enable us to perform our tasks this day to the honor of Your name and the good of Your people. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Meier was granted leave of absence for today on account of important business on motion of Senator Santiesteban.

Senator Brooks was granted leave of absence for today on account of important business on motion of Senator Williams.